REMARKS

In the Office Action, the Examiner objected to the specification and claims 1, 11, 15, and 22. The Examiner also rejected claims 1 - 22. By this paper, the Applicant has amended the specification; amended claims 1, 11, 15, and 22. Claims: 1 - 22 are now pending. The amendments to the Specification do not add any new matter. In view of the forgoing amendments and the following remarks, the Applicant respectfully requests reconsideration and allowance of all pending claims.

Objection to the Specification

In the Office Action, the Examiner objected to the specification. Specifically, the Examiner stated that the "Cross-reference must be updated at page 2, lines 8 – 11 of the specification." As requested by the Examiner, the Applicant has amended the specification to identify the related applications by their granted patent numbers and dates. The applicant has also modified the title of the cross referenced application to reflect the title as shown on the granted patent. In view of this amendment, the Applicant respectfully requests that the Examiner withdraw the objection to the specification.

Objection to the Claims

Claims 1, 11, and 15

The Examiner objected to Claims 1, 11, and 15 because of the use of the slash in the term "and/or". Specifically, the Examiner stated "It is unclear whether the slash means AND, OR, or Both." In all three of these claims the term in question is used in the context *"enriching new*

messages with information from that event and/or corresponding information extracted from the central repository". The Applicant would like to respectfully call to the Examiner's attention section 2111.01(I) of the Manual of Patent Examining Procedure which states "The words of a claim must be given their "Plain Meaning" unless they are defined in the specification" With this in mind the Applicant would like to refer to the Merriam-Webster Dictionary which defines and/or as *"Function: conjunction – used as a function word to indicate that two words or expressions are to be taken together or individually."* This conjunction is used extensively throughout the MPEP Ed. 8, Rev 2, and can be found twenty-six times in section 2100 alone. Further, executing the search "ACLM/and/or", which will return instances of "and/or" in the claims section of pending applications, returns 91,945 hits, and searching the database of granted patents since 1976 (using the same search criteria) will result in 118,140 patents with claims which use this conjunctive form. In consideration of these findings, the Applicant request that the Examiner withdraw the objection against claims 1, 11, and 15, and interpret "and/or" in the phrase to include *"information from that event"*, OR *"corresponding information extracted from the central repository"*, OR a combination of information from BOTH.

Claim 22

The Examiner objected to Claim 22 as having two "." (periods) at the end of the claim. The Applicant has amended claim 22 to remove the second period and thus request the Examiner to withdraw the objection against claim 22.

Claim Rejections under 35 U.S.C. § 112

Claims 1 – 15

In the Office Action, the Examiner rejected claims 1 – 15 under U.S.C. § 112 as being

indefinite. The Examiner derives this rejection from an insufficient antecedent basis in claims 1,

11 and 15 for the phrases *"new messages"*, *"information extracted"* and *"subscribing to the*

enriched new messages". The claims in question are in reference to actions taken in response to

events arising from business transactions. In the Specification (Pg. 22, L. 26 – 29) it states:

"When events occur, an adapter publishes the change to the ZLE framework. The appropriate

ZLE core service then formats the messages correctly and pushes them to the subscribing

applications." In the Specification (Pg. 7, L. 15 – 16) the terms, *Publish* and *Subscribe* are

defined respectively as *"pushing data into and pulling data out of a system or system module."*

The Specification further states (Pg.7, L. 18 – 19) *"Pulling and pushing data may additionally*

involve sending and/or receiving the data by means of messages." From these points in the

Specification the Applicant believes it to be clear that the messages referred to as *"new*

messages" are simply the same messages generated by an adapter which are re-formatted by the

ZLE core service and forwarded. To clarify this point the Applicant has amended the claims to

remove the modifying word *"new"* from the term *"new messages"* and further amended the

claims to distinguish what constitutes an *"enriched message"*, namely, a message which has been

re-formatted to include *"corresponding information extracted from the central repository."* As

the Applicant amends claims 1, 11 and 15 to more clearly recite the method described in the

specification which the Applicant believes to be a patentable invention, the Applicant request

that the Examiner withdraw rejection to the claims 1 – 15 as being indefinite.

Claim Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1 - 3, 5 - 8, 10 - 13, 15 - 16 and 19 -
22 as being anticipated by Stewart (US 2002/0013759). The Applicant respectfully traverses

these rejections.

Claims 1, 11, and 15

The Applicant respectfully asserts that the Stewart reference cited fails to teach

"information from the plurality of events being aggregated in the central repository where the

aggregated information can, in real-time be accessible and available for extraction and analysis

from across the enterprise" [emphasis added]. The cited reference in paragraph [0150] teaches

storage in the c-hub of "information required to configure the c-hub in order to provide support

for multiple protocols within a c-space." The reference goes on to list types of information,

including "in some instance **a portion of the message** itself" [emphasis added]. The Applicant

asserts that a portion of the message (a single message) is not equivalent with *"information from*

the plurality of events being aggregated in the central repository" and has no value in later

"extraction and analysis from across the enterprise".

The Examiner also cites "The XPATH expression is evaluated against a message-context

XML document generated by the XOCP filter module. It contains information extracted from

the message context and the repository" ([0227] lines 11 – 14). The Applicant again asserts that

this is not an anticipation of the Applicant's invention because the cited reference describes a filter process used for the publishing of a single message and not a method of aggregating or analyzing the data from multiple messages. Further, no method is provided to allow information to be "in real-time ... accessible and available for extraction and analysis from across the enterprise." To support this, the Applicant call attention to the beginning of the paragraph which states that XPATH filters are "filters that are defined by **an administrator** and associated with a trading partner. ... When the c-hub routes a message to a trading partner with the XOCP protocol, the XPATH filter is used to examine the message context and **determine whether to send the message to the trading partner or not**" [emphasis added]. This statement demonstrates rather than making information accessible and extractable across the enterprise, the opposite is being done. XPATH filters are a means of limiting the information seen by a subscriber to the system, and this limit is put in place by the administrator of the system, not by the subscriber.

It can further be argued that the cited reference does not teach aggregating of information, and does not *"enrich messages with information,"* and in no way could enrich messages as the central repository described by the reference is simply a repository for filters and routing rules. Stewart does not teach the collection of messages, statistics and/or analysis of the data flowing through the c-hub beyond what is necessary for basic routing of the original messages in their unmodified format.

The Applicant therefore request the Examiner withdraw rejections to these claims.

Claims 3 and 21

The Examiner states: *"Regarding claims 3 and 21, Stewart discloses wherein for a particular number (N) of applications, a combined number of the published and subscribed messages can be reduced from twice that particular number (2N) to a total number of 4 or 5 messages (See [0305])."* The Applicant as reviewed the cited passage, which describes the workflow of Figure 26 of the cited application, and does not agree that this suggest or implies any means of combining multiple messages to reduce message count. The paragraph in question specifically cites the *"This message process, and all other messaging processes indicated in FIG. 26 are controlled or coordinated by the conversation manager which is responsible for the flow of messages throughout publish/subscribe "swim lane"."* This does not in any way discuss combining of messages or message data. The Applicant request the Examiner reconsider and withdraw rejections against these claims.

Claim 6

The Examiner rejects claim 6 stating: *"Stewart discloses wherein the applications cause the updating of aggregated information at the central repository upon a change of information in their environment. (See page 11, paragraph [0137]."* The Applicant believes the citing does not discuss updating based on environmental changes and points out the specific phrase **"(at design time)"** in the following quote from the cited paragraph. *"the workflow server must first be initialized (at design time) to have a workflow. This is typically done by creating a workflow template, and using this template to define an d XML document. The company then defines a set*

of business operations and stores these with the templates in a workflow template database."

The establishing of templates at design time is counter intuitive with the Applicant's claims that

information is aggregated to use in *"real-time ... analysis"*.

Claims 8 and 13

Claims 8 and 13 are directed to the central repository's bases on a database. The

Examiner states that "Stewart discloses wherein the central repository is based on a database.",

and cites paragraphs 0137 – 0139 to support this. The Applicant directs the Examiner to the

above remarks concerning Claim 6 which refute the use of a database to store updated

information from new events.

Claims 10

The Examiner cites paragraphs 0227 and 0228 stating that Stewart discloses messages

can include extracted information that was previously published to the central repository by other

applications. The Applicant wishes to call attention to the phrase "the XPATH filter is used to

examine the message context and determine whether to send the message to the trading partner

or not." There is no mention of modifying the message, only of deciding to forward it or not.

The only mention of extracting message content is in generating the XML document from the

message to establish the XML generated document which is matched against the XPATH filter

to make the forwarding decision. Stewart does not teach storing this XML generated document

in any form other than as a generic template stored in the repository at design time. Since this

information is not stored, it can not be aggregated or made available for inclusion in later messages.

Claims 2 – 3, 5 – 8 and 10

In addition to the remarks above, claims 2 – 3, 5 – 8 and 10 should be allowable due to their dependence on claim 1. The Applicant directs the Examiner to the remarks above concerning claim 1.

The Applicant therefore request the Examiner withdraw rejections to these claims.

Claims 12 and 13

In addition to the remarks above, claims 12 and 13 should be allowable due to their dependence on claim 11. The Applicant directs the Examiner to the remarks above concerning claim 11.

The Applicant therefore request the Examiner withdraw rejections to these claims.

Claim 16

The Examiner states that claim 16 "contains similar limitation as claim 1, thus rejected as addressed above." The Applicant calls the Examiners attention to the phrases "information enriching messages" and "consolidated information with information from messages published by the applications". These limitations are not supported by the cited Stewart reference as discussed above with regards to claim 1. The Applicant therefore request the Examiner withdraw rejections to this claim.

Claim 19

The Examiner cites Stewart, paragraph 0305 as disclosing *"wherein the particular information for enriching messages subscribed to by an application can be information previously published by another application."* The Applicant would like to direct the Examiner to paragraph 304 which describes the "swim lanes" of Fig 26, specifically pointing to the defining of lane 502 "A separate lane [...] reserved for the publish/subscribe entity which, under control of the conversation manager, is responsible for receiving and sending messages between the various other entities." The Applicant as already remarked above that Stewart fails to teach storing of message information for aggregation or use in enriching other messages. The Applicant would like offer as further evidence Fig 26, which is described in the cited paragraph 305. Figure 26 shows messages being passed into and out of the Publish/Subscriber [502] as lines with labels going to and from the various ovals. These messages shown as going into and out of the "Send Event" processes of the Publish/Subscriber are the same as evidenced by the duplicate labels before and after the process. While this labeling is possibly circumstantial by itself, It can only be seen to strengthen the Applicant's position when taken in context with earlier remarks.

Claims 19 and 22

In addition to the remarks above, claims 19 and 22 should be allowable due to their dependence on claim 16. The Applicant directs the Examiner to the remarks above concerning claim 16. The Applicant therefore request the Examiner withdraw rejections to these claims.

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The Applicant therefore request the Examiner withdraw rejections to these claims.

Claim Rejections under 35 U.S.C. § 103

Claims 4 and 18

In the Office Action, the Examiner rejected claims 4 and 18 as being unpatentable over Stewart (US 2002/0013759), in view of Schmidt (US 2002/0026630). The Applicant respectfully traverses these rejections. As stated above under remarks regarding the 35 U.S.C. § 102 rejections of claims 1, 11 and 15, Stewart fails to teach or suggest aggregating data from multiple messages. This teaching is also not found in the Schmidt reference. The Applicant therefore request the Examiner withdraw rejections to these claims.

Claims 9, 14 and 17

In the Office Action, the Examiner rejected claims 9, 14, and 17 as being unpatentable over Shapiro (US 2003/0093507), in view of Chandra (US 6,058,389). As Shapiro is not referred to in the rest of the document, and is not listed on the Notice of References Cited, and further since the rest of the paragraph in the Office Action discusses the Stewart reference and how it can be interpreted in view of Chandra. The Applicant is left to assume that the Shapiro reference is an error and that the cited reference should have been Stewart (2002/0013759). If this assumption is in error the Applicant request the Examiner please cite specific information in Shapiro which was relied upon to make this rejection. Otherwise, addressing the rejection as written elsewhere in the paragraph as being unpatentable over Stewart in view of Chandra, the Examiner has relied on teaching of Stewart regarding aggregation of information from multiple

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messages which, as stated above under remarks regarding the 35 U.S.C. § 102 rejections of

claims 1, 11 and 15, Stewart fails to teach. This teaching is also not found in the Chandra

reference. The Applicant therefore request the Examiner withdraw rejections to these claims.
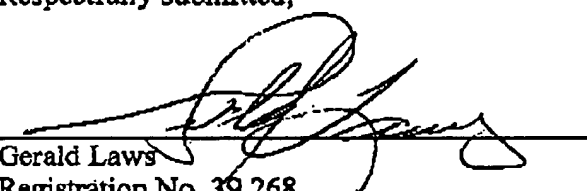
Serial No. 10/013,091
Amendment and Response to Office Action
Mailed 29 June 2005

Conclusion

The Applicant respectfully submits that all pending claims are in condition for allowance.

However, if the Examiner wishes to resolve any other issues by way of a telephone conference,

the Examiner is kindly invited to contact the undersigned at the telephone number indicated

below.

Respectfully submitted,

Date: 12 October 2005

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